Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT
Issued under 401 KAR 52:040

Permittee Name:	**Flint Group Pigments**
Mailing Address:	**305 Ring Road, Elizabethtown, KY 42701**
Source Name:	**Flint Group Pigments**
Mailing Address:	**305 Ring Road** **Elizabethtown, KY 42701**
Source Location:	**South of St. John Road, Before Peterson Drive**
Permit ID:	**S-02-033R1**
Agency Interest #:	**1649**
Activity ID:	**APE20040002**
Review Type:	**Minor Permit Revision - Minor Source, Construction / Operating**
Source ID:	**21-093-00046**
Regional Office:	**Frankfort Regional Office** **663 Teton Trail, Suite B** **Frankfort, KY 40601** **(502) 564-3358**
County:	**Hardin**
Application Complete Date:	**November 02, 2007 (Revision 1)**
Issuance Date:	**April 25, 2002**
Revision Date:	**January 24, 2008 (Revision 1)**
Expiration Date:	**April 25, 2012**

John S. Lyons, Director
Division for Air Quality

Revised 05/05/07

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:040, State-origin permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agencies.

Permit ID	Permit Type	Log or Activity#	Complete Date	Issuance Date	Summary of Action
S-02-033	State Origin Permit	APE20040002	March 1, 2002	April 25, 2002	State Origin Permit
S-02-033R1	Revision	APE20040002	November 02, 2007	January 18, 2008	Minor Permit Revision

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Unit 01(01) **Clay Base Mixer**

Description:

Affected Facility:	Clay Base Mixer
Maximum Rated Capacity:	7.5 tons per hour
Control Equipment (Filter) Efficiency:	95%
Construction Date:	1/1/1985

Emission Unit 05(06) **Carbon Black Unloading**

Description:

Affected Facility:	Unloading
Maximum Rated Capacity:	7.0 tons per hour
Control Equipment (Bin Filter) Efficiency:	99.9%
Construction Date:	4/9/1982

Emission Unit 16(11H) **Strike Tanks**

Description:

Affected Facility:	Strike Tanks
Maximum Rated Capacity:	13.0 tons per hour
Control Equipment (Scrubber) Efficiency:	98%
Construction Date:	3/26/1985

Emission Unit 23(16) **AZO Pulverizing & Pneumatic Conveying**

Description:

Affected Facility:	AZO Pulverizing
Maximum Rated Capacity:	0.25 ton per hour
Control Equipment (Baghouse) Efficiency:	99.9%
Construction Date:	3/26/1985

Emission Unit 020(01) **Sargent Belt Dryer**

Description:

Affected Facility:	One (1) 8-feet by 30-feet belt dryer for drying wet press cake pigments (continuous process)
Maximum Rated Capacity:	625 lbs/hr
Particulate Control:	One (1) 12,000 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.8%
Construction Date:	3/2007

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 020(02) **Turbo Dryer**

Description:

Affected Facility:	One (1) dryer for receiving pigments from the Sargent Belt Dryer 020(01) (continuous process)
Maximum Rated Capacity:	625 lbs/hr
Particulate Control:	One (1) 3,100 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.8%
Construction Date:	3/2007

Emission Unit 020(03) **Pigment Grinder**

Description:

Affected Facility:	One (1) pigment grinder for grinding dried pigments received from the Turbo Dryer 020(02) (continuous process)
Maximum Rated Capacity:	1,750 lbs/hr
Particulate Control:	One (1) 2,000 acfm fabric filter baghouse (also for Pigment Packout 020(04))
Control Equipment (Filter) Efficiency:	99.0%
Construction Date:	3/2007

Emission Unit 020(04) **Pigment Packout**

Description:

Affected Facility:	One (1) packout operation (continuous process)
Maximum Rated Capacity:	2,750 lbs/hr
Particulate Control:	One (1) 2,000 acfm fabric filter baghouse (also for Pigment Grinder 020(03))
Control Equipment (Filter) Efficiency:	99.0%
Construction Date:	3/2007

Emission Unit 021(01) **Turbo Dryer**

Description:

Affected Facility:	One (1) dryer (continuous process)
Maximum Rated Capacity:	500 lbs/hr
Particulate Control:	One (1) 4,500 acfm fabric filter baghouse (2,400 acfm is recycled back to the dryer)
Control Equipment (Filter) Efficiency:	99.8%
Construction Date:	3/2007

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 021(02) **Pigment Holding Bin**

Description:

Affected Facility:	One (1) holding bin for storing dried pigments (continuous process)
Maximum Rated Capacity:	1,750 lbs/hr
Particulate Control:	One (1) 1,600 acfm fabric filter baghouse (also for Pigment Grinder 021(03), Pigment Blender 021(04), and Pigment Packout 021(05))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 021(03) **Pigment Grinder**

Description:

Affected Facility:	One (1) pigment grinder for grinding dried pigments (continuous process)
Maximum Rated Capacity:	1,750 lbs/hr
Particulate Control:	One (1) 1,600 acfm fabric filter baghouse (also for Pigment Holding Bin 021(02), Pigment Blender 021(04), and Pigment Packout 021(05))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 021(04) **Pigment Blender**

Description:

Affected Facility:	One (1) pigment blender (continuous process)
Maximum Rated Capacity:	688 lbs/hr
Particulate Control:	One (1) 1,600 acfm fabric filter baghouse (also for Pigment Holding Bin 021(02), Pigment Grinder 021(03), and Pigment Packout 021(05))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 021(05) **Pigment Packout**

Description:

Affected Facility:	One (1) packout operation (continuous process)
Maximum Rated Capacity:	2,750 lbs/hr
Particulate Control:	One (1) 1,600 acfm fabric filter baghouse (also for Pigment Holding Bin 021(02), Pigment Grinder 021(03), and Pigment Blender 021(04))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 021(06) **Vacuum Filter-Receiver**

Description:

Affected Facility:	One (1) vacuum filter-receiver pneumatic conveying system (continuous process)
Maximum Rated Capacity:	500 lbs/hr
Particulate Control:	One (1) 100 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 022(01) **Pigment Grinder**

Description:

Affected Facility: organic	One (1) pigment grinder for grinding pigments (batch process)
Maximum Rated Capacity:	833.33 lbs/hr (average based on 20,000 lbs/24 hrs)
Particulate Control:	One (1) 1,500 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 022(02) **Pigment Grinder**

Description:

Affected Facility: organic	One (1) pigment grinder for grinding pigments (batch process)
Maximum Rated Capacity:	833.33 lbs/hr (average based on 20,000 lbs/24 hrs)
Particulate Control:	One (1) 1,500 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 022(03) **Pigment Grinder**

Description:

Affected Facility:	One (1) pigment grinder for grinding organic pigments (batch process)
Maximum Rated Capacity:	833.33 lbs/hr (average based on 20,000 lbs/24 hrs)
Particulate Control:	One (1) 1,500 acfm fabric filter baghouse
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 023(01) **Cone Blender No. 1**

Description:

Affected Facility:	One (1) Patterson Type B Conical Thoroblender (batch process)
Maximum Rated Capacity:	1,333.33 lbs/hr (average based on 6,000 lbs/batch, 4.5 hrs/batch)
Particulate Control:	One (1) 10,000 acfm fabric filter baghouse (also for Cone Blender 023(02) and Cone Blender 023(03))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

Emission Unit 023(02) **Cone Blender No. 2**

Description:

Affected Facility:	One (1) Patterson Type B Conical Thoroblender (batch process)
Maximum Rated Capacity:	1,333.33 lbs/hr (average based on 6,000 lbs/batch, 4.5 hrs/batch)
Particulate Control:	One (1) 10,000 acfm fabric filter baghouse (also for Cone Blender 023(01) and Cone Blender 023(03))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 023(03) **Cone Blender No. 3**

Description:

Affected Facility:	One (1) Patterson Type B Conical Thoroblender (batch process)
Maximum Rated Capacity:	1,333.33 lbs/hr (average based on 6,000 lbs/batch, 4.5 hrs/batch)
Particulate Control:	One (1) 10,000 acfm fabric filter baghouse (also for Cone Blender 023(01) and Cone Blender 023(02))
Control Equipment (Filter) Efficiency:	99.9%
Construction Date:	3/2007

APPLICABLE REGULATIONS:

401 KAR 59:010, *New Process Operations*, applicable to each affected facility or source, associated with a process operation, which is not subject to another emission standard with respect to particulates, commenced on or after July 2, 1975..

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a. Pursuant to 401 KAR 59:010, Section 3, the permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than twenty (20) percent opacity.

   b. Pursuant to 401 KAR 59:010 Section 3(2), for emissions from a control device or stack no person shall cause, suffer, allow or permit the emission into the open air of particulate matter (PM) from any affected facility which in excess of the quantity described below:

      $E = 3.59(P)^{0.62}$

      Where,
      E = the PM emissions rate (pounds/hour); and
      P = the process rate (tons/hour)

      For a process rate less than 1,000 pounds per hour, the PM emission rate shall not exceed 2.34 pounds per hour.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Compliance Demonstration Method:

a. Mass Emission Standard:

Actual PM Emission Rate (lb/hr) = [Amount of PM containing material per month] x Emission factor as listed in Kentucky Emissions Inventory) (in pounds PM/per ton of material processed)] ÷ [Total hours of material processed during the month]

b. Opacity Limit:
See **4.c. Monitoring Requirements**.

c. Use of Control Equipment:
The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when the facility is in operation but the corresponding control equipment is not in operation.

3. Testing Requirements:

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing shall be conducted as required by the Division using the reference methods specified in 401 KAR 50:015.

4. Monitoring Requirements:

The permittee shall monitor the following parameters:

a. Total weight of PM containing material each month;
b. Total hours of processing during the month; and
c. The permittee shall visually inspect the control equipment once per week. The weekly inspection shall consist of a visual inspection of the physical condition of the external unit, combined with the corresponding visual emissions observation as outlined below:
   (1) Whether any air emissions were visible from any individual stack;
   (2) All emission points from which visible emissions were observed; and
   (3) Whether the visible emissions were normal for the stack.
   If no visible emissions are observed then no further observations are required.

   If visible emissions are seen;
   (4) The permittee shall initiate repairs to eliminate the visible emissions, or;
   (5) Opacity of emissions shall be determined by Reference Method 9.
      (i) If emissions are in excess of the applicable opacity limit, then the permittee shall initiate all necessary repairs to the equipment.
      (ii) If emissions are not in excess of the applicable opacity limit then the permittee shall determine the opacity of emissions using Reference Method 9 for as long as cause or condition attributable for the visible emissions is present.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Recordkeeping Requirements:

The permittee shall maintain records of the following information:

a. Total weight of PM containing material processed each month;
b. Total hours of processing during the month;
c. All maintenance activities performed at the control equipment; and
d. See **4.c. Monitoring Requirements**.

6. Reporting Requirements:

None

7. Control Equipment Operating Conditions:

The control equipment associated with the processes shall control emissions of particulate matter and be operated properly in accordance with manufacturer's specifications and/or standard operating procedures at all times when the processes are in operation.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit 021(14) **Dryer**

Description:

Affected Facility:	One (1) pigment dryer
Maximum Rated Capacity:	7.0 MMBtu/hr
Primary Fuel:	Natural Gas
Construction Date:	3/26/1985

Emission Unit 025(18) **Boiler**

Description:

Affected Facility:	One (1) boiler
Maximum Rated Capacity:	35.0 MMBtu/hr
Primary Fuel:	Natural Gas
Backup Fuel:	Fuel Oil #2
Construction Date:	3/26/1985

Emission Unit 026(22) **Heater**

Description:

Affected Facility:	One (1) heater
Maximum Rated Capacity:	7.0 MMBtu/hr
Primary Fuel:	Natural Gas
Construction Date:	5/2/1985

Emission Unit 032(26) **Boiler**

Description:

Affected Facility:	One (1) boiler
Maximum Rated Capacity:	35.0 MMBtu/hr
Primary Fuel:	Natural Gas
Backup Fuel:	Fuel Oil #2
Construction Date:	7/15/1987

APPLICABLE REGULATIONS:

401 KAR 59:015, *New Indirect Fired Heat Exchangers*, applies to the particulate matter and sulfur dioxide emissions from the combustion of natural gas and fuel oil.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a. Pursuant to 401 KAR 59:015, Section 4(1)(c), emissions of particulate matter (PM) from the combustion of either natural gas or fuel oil shall not exceed the following:

Emission Point	Allowable PM Emission Rate
021(14)	0.34 lb/MMBtu
025(18)	0.34 lb/MMBtu
026(22)	0.34 lb/MMBtu
032(26)	0.34 lb/MMBtu

   b. Pursuant to 401 KAR 59:015, Section 4(2), the opacity of visible emissions from the combustion of either natural gas or fuel oil shall not exceed 20%.

   c. Pursuant to 401 KAR 59:015, Section 5(1)(c)1, emissions of sulfur dioxide (SO_2) from the combustion of either natural gas or fuel oil shall not exceed the following:

Emission Point	Allowable SO_2 Emission Rate
021(14)	1.25 lb/MMBtu
025(18)	1.25 lb/MMBtu
026(22)	1.25 lb/MMBtu
032(26)	1.25 lb/MMBtu

   Compliance Demonstration Method:
   a. Particulate Matter and Sulfur Dioxide Emissions:

   Emissions in lbs/MMBtu = [(Monthly gas or fuel oil consumption rate x Emission factor listed in Kentucky Emissions Inventory) / (Hours of operation per month x Hourly Rated Capacity)]

   b. Opacity:
      1. Natural Gas:
         The opacity is assumed to be in compliance with the opacity limit while burning natural gas and during normal operation.
      2. Fuel Oil:
         Once per calendar day while burning fuel oil, the permittee shall survey the stacks for visible emissions and maintain a daily log noting the following information:

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

i. Whether any air emissions were visible from any individual stack;
ii All emission points from which visible emissions were observed; and
iii Whether the visible emissions were normal for the stack.

If no visible emissions are observed then no further observations are required.

If visible emissions are seen;

iv. The permittee shall initiate repairs to eliminate the visible emissions, or;
v Opacity of emissions shall be determined by Reference Method 9.
   a. If emissions are in excess of the applicable opacity limit, then the permittee shall initiate all necessary repairs to the equipment.
   b. If emissions are not in excess of the applicable opacity limit then the permittee shall determine the opacity of emissions using Reference Method 9 for as long as cause or condition attributable for the visible emissions is present.

3. Testing Requirements:
Pursuant to 401 KAR 59:005 Section 2(2) and 401 KAR 50:045, Section 1, performance testing shall be conducted as required by the division using the reference methods specified in 401 KAR 50:015.

4. Monitoring Requirements:
The permittee shall monitor and maintain records of the following information:
a. The monthly fuel usage rate (cubic feet/month or gallons per month) for each of the fuels listed herein;
b. The monthly hours of operation (hours operated per month) of the boilers, heater and dryer; and
c. The sulfur content of each type of fuel burned. The sulfur content may be determined by fuel sampling and analysis or by fuel supplier certification.

5. Record keeping Requirements:
See **4. Monitoring Requirements**.

6. Reporting Requirements:
None

7. Control Equipment Operating Conditions:
None

SECTION C - GENERAL CONDITIONS (CONTINUED)

1. Administrative Requirements

a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.

b. This permit shall remain in effect for a fixed term of ten (10) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 52:040, Section 15]

c. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

d. Pursuant to materials incorporated by reference by 401 KAR 52:040, this permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition [Section 1a-4, 5, of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

e. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

f. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:040 Section 11(3)].

g. This permit shall be subject to suspension at any time the permittee fails to pay all fees within 90 days after notification as specified in 401 KAR 50:038, Air emissions fee. The permittee shall submit an annual emissions certification pursuant to 401 KAR 52:040, Section 20.

h. All previously issued permits to this source at this location are hereby null and void.

SECTION C - GENERAL CONDITIONS (CONTINUED)

2. Recordkeeping Requirements

a. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:040 Section 3(1)(f) and Section 1b-IV-2 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

b. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents, including reports, shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

3. Reporting Requirements

a. (1) In accordance with the provisions of 401 KAR 50:055, Section 1, the permittee shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

   (2) The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Reporting Requirement condition a.(1) above), the probable cause of the deviation, and corrective or preventive measures taken; to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report [Section 1b-V-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

b. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the permit [Section 1a-6 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

SECTION C - GENERAL CONDITIONS (CONTINUED)

c. Summary reports of monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation. The summary reports are due January 30th and July 30th of each year. All deviations from permit requirements shall be clearly identified in the reports. All reports shall be certified by a responsible official pursuant to 401 KAR 52:040, Section 21.

4. Inspections

In accordance with the requirements of 401 KAR 52:040, Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency:

a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation.

b. To access and copy any records required by the permit.

c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit.

d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

5. Emergencies/Enforcement Provisions

a. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing State-Origin Permits* incorporated by reference in 401 KAR 52:040 Section 23].

b. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
   (1) An emergency occurred and the permittee can identify the cause of the emergency;
   (2) The permitted facility was at the time being properly operated;
   (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
   (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.

c. Emergency provisions listed in General Condition 5.b are in addition to any emergency or

SECTION C - GENERAL CONDITIONS (CONTINUED)

upset provision contained in an applicable requirement [401 KAR 52:040, Section 22(1)].

d. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:040, Section 22(2)].

6. Compliance

a. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:
   (1) Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR 50:055, Section 1.
   (2) All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers. A log shall be kept of all routine and nonroutine maintenance performed on each control device. Daily observations are required during daylight hours of all operations, control equipment and any visible emissions to determine whether conditions appear to be either normal or abnormal. If the operations, controls and/or emissions appear to be abnormal, the permittee must then comply with the requirements of Section C – General Conditions, 3.a.(2), of this permit.
   (3) A log of the monthly raw material consumption and monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated by computer program, spread sheets, calculations or performance tests as may be specified by the Division [401 KAR 50:055, Section 2].

b. Pursuant to 401 KAR 52:040, Section 19, the permittee shall certify compliance with the terms and conditions contained in this permit by January 30th of each year, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   (1) Identification of the term or condition;
   (2) Compliance status of each term or condition of the permit;
   (3) Whether compliance was continuous or intermittent;
   (4) The method used for determining the compliance status for the source, currently and over the reporting period, and
   (5) For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION C - GENERAL CONDITIONS (CONTINUED)

(6) The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality
Frankfort Regional Office
663 Teton Trail Suite B
Frankfort, KY 40601-1403

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601-1403

c. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all:
(1) Applicable requirements that are included and specifically identified in this permit; or
(2) Non-applicable requirements expressly identified in this permit [401 KAR 52:040, Section 11].

7. Construction Requirements:

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points 019(01), 019(02), 019(03), 019(04), 019(05), 020(01), 020(02), 020(03), 020(04), 021(01), 021(02), 021(03), 021(04), 021(05), 021(06), 022(01), 022(02), 022(03), 023(01), 023(02), and 023(03) in accordance with the terms and conditions of this permit.

a. Pursuant to 401 KAR 52:040, Section 12(3), unless construction is commenced on or before 18 months after the date of issuance of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or is not completed within a reasonable timeframe, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon a written request, the Cabinet may extend these time periods if the source shows good cause.

b. Pursuant to 401 KAR 52:040, Section 12(4)(a) and 401 KAR 59:005, General provisions, Section 3(1), within 30 days following construction commencement, within 15 days following start-up and attainment of maximum production rate, or within 15 days following the issuance date of this permit, whichever is later, the owner and/or operator of the affected facilities specified on this permit shall furnish to the Regional Office listed on the front of this permit, with a copy to the Division's Frankfort Central Office, the following:
(1) Date when construction commenced.
(2) Start-up date of each of the affected facilities listed on this permit.
(3) Date when maximum production rate was achieved.

SECTION C - GENERAL CONDITIONS (CONTINUED)

c. Pursuant to 401 KAR 59:005, General provisions, Section 2(1), this permit shall allow operation for compliance demonstration of the affected facilities listed herein. However, within 60 days after the issuance date of this permit or the date of achieving the maximum production rate at which the affected facilities will be operated, whichever is later, but no later than 180 days after initial start-up of such facilities, or the issuance date of this permit, whichever is later, the owner or operator shall demonstrate compliance to a duly authorized representative of the Division.

d. Operation of the affected facilities authorized by this permit shall not commence until compliance with applicable standards specified herein has been demonstrated in accordance with the requirements of 401 KAR 52:040, Section 12(4)(b). Until compliance is demonstrated, the source may only operate for the purpose of demonstrating compliance.

SECTION D - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:040, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

	Description	Generally Applicable Regulation
1.	02(--) Emergency Generator	None
2.	03(--) Sigma Blade Flushers	None
3.	04(--) Turbulent Mixer	None
4.	06(08) Carbon Black Silo	401 KAR 59:010
5.	07(09) Carbon Black Silo	401 KAR 59:010
6.	08(--) Continuous Flushers	None
7.	09(11A) Diazo Mix Tank	401 KAR 59:010
8.	10(11B) Couplant Mix Tank	401 KAR 59:010
9.	11(11C) Resin Dissolving Tank	401 KAR 59:010
10.	12(11D) Barium Chloride Tank	401 KAR 59:010
11.	13(11E) Misc. Solution Tank	401 KAR 59:010
12.	14(11F) Misc. Solution Tank	401 KAR 59:010
13.	15(11G) HCL Storage Tank	401 KAR 63:020
14.	17(11) Head Tanks	401 KAR 63:020
15.	18(11J) Head Tanks	401 KAR 63:020
16.	19(12) Carbon Black Holding Tanks	None
17.	20(13) Carbon Black Batch Mixing	None
18.	22(15) Pigment Conveying	401 KAR 59:010
19.	24(17) AZO Blending & Packaging Facility	401 KAR 59:010
20.	27(23A) Alkyd Resin Reactor	401 KAR 59:010
21.	28(23C) Gilsonite Blend Tank	401 KAR 59:010
22.	29(24) Resin Blend Tank	401 KAR 59:010
23.	30(--) Carbon Black Premix	401 KAR 59:010
24.	31(25) Blue Crude Mix Tank	401 KAR 63:020
25.	33(27) Gilsonite Silo	401 KAR 59:010
26.	34(45) Sodium Carbonate Silo	401 KAR 59:010
27.	35(37) AZO Intermediate Hopper	401 KAR 59:010
28.	36(43) Blue Dispersion- Blue Crude	401 KAR 59:010
29.	37(--) Other Storage Tanks	401 KAR 59:010
30.	38(--) Sodium Chloride Storage Tank	401 KAR 59:010
31.	39(--) Hydrochloric Acid Storage Tank	401 KAR 63:020
32.	40(--) Ferric Sulfate Storage Tank	401 KAR 59:010
33.	19(01) Tray Dryer No. 1	401 KAR 59:010
34.	19(02) Tray Dryer No. 2	401 KAR 59:010

SECTION D - INSIGNIFICANT ACTIVITIES

	Description	Generally Applicable Regulation
35.	19(03) Tray Dryer No. 3	401 KAR 59:010
36.	19(04) Tray Dryer No. 4	401 KAR 59:010
37.	19(05) Tray Dryer No. 5	401 KAR 59:010